

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RACHEL YOUNGER, Individually and as
Administrator of the Estate of NATHANIEL
YOUNGER,

Plaintiff,

v.

ZURICH AMERICAN INSURANCE COMPANY
and UBS FINANCIAL SERVICES, INC.,

Defendants.

Civil Action No.: 11-civ-1173
(TPG)

CERTIFICATION IN SUPPORT OF MOTION TO DISMISS

ANDREW I. HAMELSKY hereby certifies that the following is true under
penalty of perjury, pursuant to 28 U.S.C. § 1746:

1. I am a partner with White and Williams LLP, attorneys for defendant Zurich American Insurance Company (“Zurich American”).
2. I make this certification based upon my personal knowledge of the facts set forth herein.
3. This certification is in support of the notice of motion to dismiss of Zurich American, dated June 15, 2011.
4. Attached as **Exhibit 1** is the amended complaint (ECF 27).

5. Attached as **Exhibit 2** is a copy of an opinion and order that may be cited as *Keir v. UnumProvident Corp.*, 2010 WL 3566878 (S.D.N.Y. Sept. 14, 2010).

I certify under penalty of perjury that the forgoing is true and correct.

Date: June 15, 2011

Respectfully submitted,

s/ Andrew I. Hamelsky
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